



Receipt/81

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Terry B. Strom et al. Art Unit : Unknown  
Serial No. : 09/804,717 Examiner : Unknown  
Filed : March 12, 2001  
Title : METHOD AND COMPOUNDS FOR PREVENTION OF GRAFT REJECTION

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed September 10, 2001 (copy enclosed), applicant as a small entity submits herewith the following:

- Check in payment of \$65 surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application;
- Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- Sequence Listing; and
- Sixteen (16) Sheets of Drawings with appropriate margins.

The Notice states that the signature of Vicki Rubin-Kelly is missing from the oath or declaration. However, Vicki Rubin-Kelly is not an inventor of the subject matter now claimed. A copy of Applicants' Petition concerning inventorship, filed in the parent application, is enclosed. Accordingly, the present declaration is complete and correct.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

December 10, 2001

Date of Deposit

Signature

Mary E. Jacoby

Typed or Printed Name of Person Signing Certificate

Applicant : Terry B. Strom  
Serial No. : 09/804,717  
Filed : March 12, 2001  
Page : 2

Attorney Docket No.: 01948-051003

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



Lee Crews, Ph.D.  
Reg. No. 43,567

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

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Attorney's Docket No.: 01948-051003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

44  
Applicant : Terry B. Strom *et al.*

Serial No. : 09/804,717

Filed : March 12, 2001

Title :

Art Unit : Unknown

Examiner : Unknown

Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Please correct the filing receipt for the above-referenced application to reflect the correct inventorship information:

Please delete --Vicki Rubin-Kelley, Brookline, MA.--

A copy of the original Filing Receipt showing the desired changes in red ink is attached along with a copy of the transmittal letter showing the correct inventors.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

December 10, 2001  
Date of Deposit  
Mary E. Jacoby  
Signature  
Mary E. Jacoby  
Typed or Printed Name of Person Signing Certificate

Applicant : Terry B. Strom *et al.*  
Serial No. : 09/804,717  
Filed : March 12, 2001  
Page : 2

Attorney's Docket No.: 01948-051003

No fee is believed to be due. If there are any charges, or any credits, please apply them to  
Deposit Account No. 06-1050.

Respectfully submitted,



Lee Crews, Ph.D.  
Reg. No. 43,567

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Boston, Massachusetts 02110-2804  
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JWF  
LLC

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/804,717	03/12/2001	1632	355	01948-051003	13	5	1



LEE CREWS, PH.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

CONFIRMATION NO. 2953

## FILING RECEIPT



OC000000006538395\*

Date Mailed: 09/10/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Terry B. Storm, Brookline, MA;  
 Vicki Rubin-Kelley, Brookline, MA;  
 Towia Libermann, Newton, MA;

## Assignment For Published Patent Application

Beth Israel Hospital Association, a Massachusetts corporation;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 08/273,402 07/11/1994 PAT 5,958,403  
 WHICH IS A CIP OF 08/024,569 03/01/1993 ABN  
 WHICH IS A CIP OF 07/843,731 02/28/1992 ABN

## Foreign Applications

If Required, Foreign Filing License Granted 09/07/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

DOCKETED BY PRACTICE SYSTEMS

Action Code	Clear PFR
Base Date	4/1/01
Due Date	4/1/01
Deadline	
Initials	PEC
On 9/11/2001	

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title**

Methods and compounds for prevention of graft rejection

**Preliminary Class**

435

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**Data entry by :** ZEW DIE, BROUK TAWIT

**Team :** OIPE

**Date:** 09/10/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231



# FISH & RICHARDSON P.C.

225 Franklin Street  
Boston, Massachusetts  
02110-2804

Telephone  
617 542-5070

Facsimile  
617 542-8906

Web Site  
[www.fr.com](http://www.fr.com)

March 12, 2001

W.K. Richardson  
1859-1951

Attorney Docket No.: 01948-051003

**Box Patent Application**  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new continuation patent application of:

Applicant: TERRY B. STROM AND TOWIA LIBERMANN

Title: METHODS AND COMPOUNDS FOR PREVENTION OF GRAFT  
REJECTION

BOSTON  
DALLAS  
DELAWARE  
NEW YORK  
SAN DIEGO  
SILICON VALLEY  
TWIN CITIES  
WASHINGTON, DC

The prior application is assigned of record to Beth Israel Hospital Association, a Massachusetts corporation, by virtue of an assignment submitted to the Patent and Trademark Office and recorded on September 15, 1994 at Reel 7262 on Frame 0344.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	80
Claims	7
Abstract	1
Declaration	2
Drawings	13

Enclosures:

- Form PTO-1449 listing documents cited in the parent application. Please confirm that these have been considered in this application by returning a copy of the Form PTO-1449 with the Examiner's initials.

## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL483677507US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

3/12/01

Date of Deposit

Daniel C. Messier

Signature

Daniel C. Messier

Typed or Printed Name of Person Signing Certificate

FISH & RICHARDSON P.C.

Commissioner for Patents  
March 12, 2001  
Page 2

- Copy of the Petition For Three-Month Extension of Time.
- Verified Small Entity Statement Claming Small Entity Status.
- Preliminary Amendment. 3 pages.
- Postcard.

This application is a continuation (and claims the benefit of priority under 35 USC 120) of U.S. application serial no. 08/273,402, filed 7/11/94, which is a CIP of 08/024,569, filed 3/01/93 (now abandoned), which is a CIP of 07/843,731, filed on 2/28/92 (now abandoned). The disclosure of the prior application is considered part of (and is incorporated by reference in its entirety) the disclosure of this application.

Basic filing fee	\$355
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$40	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$355

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

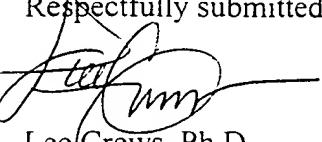
If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

LEE CREWS, PH.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

Respectfully submitted,

  
Lee Crews, Ph.D.  
Reg. No. 43,567  
Enclosures  
20185883.doc



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/804,717	03/12/2001	Terry B. Storm	01948-051003



LEE CREWS, PH.D.  
 Fish & Richardson P.C.  
 225 Franklin Street  
 Boston, MA 02110-2804

CONFIRMATION NO. 2953  
 FORMALITIES LETTER



\*OC000000006534065\*

Date Mailed: 09/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/26/2002 BSYASI1 00000070 09804717

01 01/2005

65.00 OP

FILED UNDER 37 CFR 1.53(b)

### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Vicki Rubin-Kelly*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37

C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

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*A copy of this notice **MUST** be returned with the reply.*

*BS*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE